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Intellectual Property Law Firm

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**FACSIMILE TRANSMISSION**

DATE: March 21, 2005

FROM:

Steven L. Webb, Reg. 44,395

NUMBER OF PAGES (including this page):

7

TELEPHONE: (303) 938-9999 ext. 22  
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TO:

Mail Stop: Amendment  
United States Patent and  
Trademark Office

TELEPHONE:

RE:

Application No. 09/304,379  
Filed: 5/4/1999  
Art Unit: 2666  
Examiner: Phuc H. Tran  
Inv.: Michael J. Gardner  
Docket No. 1152

FAX: (703) 872-9306

**MESSAGE** Attached are the following:

1. Transmittal (one page);
2. Response to the Office Action dated December 29, 2004, (5 pages).

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission	5	Attorney Docket Number	1152
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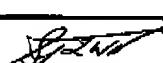
## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

## Remarks

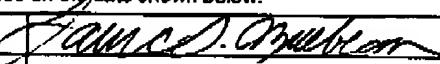
It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 210765 for the required fees.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	SETTER OLLILA LLC		
Signature			
Printed Name	Steven L. Webb		
Date	3/21/05	Reg. No.	44,395

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Laura S. Mellblom	Date	3/21/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Practitioner's Docket No. 1152

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Michael J. Gardner

Application No.: 09/304,379

Filed: 05/04/1999

Group No.: 2666

Examiner: Phuc H. Tran

For: SYSTEM AND METHOD FOR CONFIGURING BANDWIDTH  
TRANSMISSION RATES FOR CALL CONNECTIONS

Mailstop: Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**Response to Office Action****Introductory Comments**

In response to the Office Action dated December 29, 2004, please consider the following remarks.